

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

6500 CHERRYWOOD LANE
GREENBELT, MARYLAND 20770
301-344-0632

MEMORANDUM

TO: Counsel of Record

FROM: Judge Peter J. Messitte

RE: Hull, et al. v. Marriott International, Inc.
Civil Case No. PJM 14-328

DATE: October 16, 2014

* * *

On October 14, 2014, the Court received a Joint Status Report (Dkt. No. 36). In the Joint Status Report, the parties asked the Court to clarify whether it intends to hear argument on October 27, 2014 on both the Defendant's pending Partial Motion to Dismiss (Dkt. No. 10) as well as the Plaintiffs' pending Motion to Amend Complaint (Dkt. No. 30). The Court confirms that it intends to hear argument on both pending Motions at the October 27 hearing.

In the Joint Status Report, the parties disagree as to the scope of the fact discovery that continues after the October 14, 2014 discovery deadline set forth in the Court's Scheduling Order dated May 29, 2014 (Dkt. No. 9) (as modified by the Court's Memorandum Order dated July 9, 2014 (Dkt. No. 23) and Order dated October 1, 2014 (Dkt. No. 35)).

The Court's July 9 Memorandum Order extended deadlines contained in the May 29 Scheduling Order as to "the narrow issue of possible testing of Defendant's software by Plaintiffs as well as any reasonably related discovery, including expert designations." The Court's October 1 Order granted Plaintiffs' Motions to Compel as to the software used by Defendant's Group Housing Department. Per the Court's July 9 Memorandum Order, then, the discovery deadline for testing of Defendant's Group Housing Software by Plaintiffs as well as any reasonably related discovery is currently January 30, 2015.

Accordingly, Plaintiffs are entitled to continue fact discovery reasonably related to the claims involving the Group Housing Department beyond the October 14, 2014 discovery deadline.

Plaintiffs also contend that they are allowed to continue discovery "relating to issues that have been revealed during recent depositions and recent document production" beyond the October 14, 2014 discovery deadline.

The Court will construe Plaintiffs' contention as a Motion to Amend the Scheduling Order to extend the discovery deadline as to issues not reasonably related to claims involving the Group Housing Department (such as claims involving other positions to which the Plaintiffs allegedly applied). This Motion is **DENIED WITHOUT PREJUDICE**. This Motion may be revisited pending the resolution of claims involving the Group Housing Department.

Finally, the parties request that the court further extend discovery deadlines beyond those set by the July 9 Memorandum Order. The parties agree on some but not all deadline dates.

In light of the foregoing, the Court amends the May 29 Scheduling Order (Dkt. No. 9) (as modified by the July 1 Memorandum Order (Dkt. No. 23) and the October 1 Order (Dkt. No. 35)) to set the following discovery schedule:

October 14, 2014	Discovery Deadline; Discovery continues as reasonably related to the claims involving the Defendant's Group Housing Department.
January 13, 2015	Plaintiffs' Rule 26(a)(2) disclosures
February 12, 2015	Defendant's Rule 26(a)(2) disclosures
February 26, 2015	Plaintiffs' Rebuttal Rule 26(a)(2) disclosures
March 5, 2015	Rule 26(e)(2) supplementation of disclosures and responses
April 6, 2015	Discovery deadline; submission of status report
April 13, 2015	Requests for Admission
May 6, 2015	Dispositive pretrial motions deadline

Despite the informal nature of this ruling, it shall constitute an Order of the Court and the Clerk is directed to docket it accordingly.

/s/
PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

cc: Court File